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08 CV 6219

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**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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EUROGRANI S.R.L.; : Index No.:
Plaintiff, : 08 CV _____ ()
- Against - :
DOMINION BULK INTERNATIONAL S.A.; : **LELAND AFFIRMATION**
Defendant. : **PURSUANT TO RULE (B)**
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I, Kipp C. Leland, hereby affirm as follows:

1. I am an associate with Hill Rivkins & Hayden LLP, attorneys for Plaintiff herein and admitted to practice before this Honorable Court.
2. This Affirmation is submitted pursuant to Rule B of the Supplemental Rules for Certain Admiralty and Maritime Claims of the Federal Rules of Civil Procedure.

3. Based upon the results of my investigation as set forth herein, I am firmly convinced that the defendant, Dominion Bulk International S.A. (hereinafter "Dominion"), is a corporation or other business entity which cannot be "found" within this District for the purpose of an attachment under Rule B.
4. I contacted the office of the New York Department of State, Division of Corporations on July 9, 2008, via the official Department of State website at <http://www.dos.state.ny.us> and conducted a search for a corporation named Dominion Bulk International S.A. The search result indicated that this defendant is not listed as a New York corporation, nor is it licensed, authorized or registered to do business in the State of New York as either a domestic or foreign corporation.
5. I consulted with Directory Assistance for New York on July 9, 2008, for area codes (212), (718), (914), (646), and toll-free listings, and no listing for Dominion Bulk International S.A. was found.
6. I accessed on July 9, 2008, through the internet, the Yellow Pages telephone directory database (yellowpages.com) and found no listing in that database for any office or agent of Dominion Bulk International S.A. in the State of New York.
7. I accessed the Google search engine and conducted a search for Dominion Bulk International S.A. I found no websites maintained by Dominion Bulk International S.A.. Dominion Bulk International S.A. appeared on some websites maintained by

others, and on those websites there was no indication that it had any offices in this district.

8. Based upon the foregoing, it is respectfully submitted that defendant Dominion Bulk International S.A. cannot be "found" within this District within the meaning of Rule B, thus justifying issuance of an order of attachment against the assets of defendant as may be found within this District up to and including the amount of the claim as specified in the Verified Complaint.

I hereby affirm under the penalty of perjury that the foregoing is true and correct.

Dated: July 9, 2008



Kipp C. Leland